

The United States District
Southern District of New York

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Fernando Santana,
Plaintiff

AMENDED COMPLAINT

-against-

21-CIV-4720 (LTS)

Officer MD Rhaman, Shield #:6169
Officer Alberto Padilla, Shield #:15335
John Doe (Front Desk Officer)
Defendants,
ALL IN THEIR INDIVIDUAL AND OFFICIAL CAPACITY

STATEMENT OF CLAIM.

In accordance with your honor order to amend the complaint. The Times, Date and Location are still the same. On may 23, 2021. The plaintiff (Fernando Santana) was stopped by N.Y.P.D. Transit Division 11 officers and was arrested for having an outstanding warrant. During that time the plaintiff tried to question and explain to the officers that this warrant must be a mistake, when the plaintiff tried to explain why, the defendants to no avail showed no Courtesy, professionalism, or Respect. As it states on every police squad car in New York City.

As the plaintiff was escorted to Transit Division 11, located on 161st rivera ave. The plaintiff professed that he needed to see a doctor due to his anxiety. E.M.T. was notified and thereafter came to escort the plaintiff to Lincoln hospital. As the plaintiff was getting ready to go to the

hospital, Officer "John Doe" (1) that was running the precinct front desk came to the back of the booking area and hit the plaintiff in the face with a closed fist, causing the plaintiff to blackout and experiencing pain in his jaw for several hours. This act of malicious and unprovoked violent behavior clearly violates the plaintiff rights of being free from assault. This act of excessive force and deliberate indifference clearly shows that the defendant acted under the color of state law and violated the plaintiff right from being free from unjustified cruelty, assault and punishment. This unprovoked attack was also captured by C.C.T.V. monitors/cameras.

Upon being admitted to Lincoln hospital Officer "John Doe " (2) treated the plaintiff while in Lincoln hospital with deliberate indifference. The plaintiff indored manhandling behavior, and was verbally and physically harassed and assaulted. Plaintiff asked and requested numerous times to be uncuffed or shackled to the bed. Since his hands have been mechanically restrained behind his back for over 3-4 hour(s) and was being kept overnight, in Lincoln hospital. It took over four(4) hour(s) for the defendant to uncuff the plaintiff, this only happened after several hours of the plaintiff complaining and showing the lacerations and bruises on his wrists to the R.N.'s, Doctors and R.N.A.'s that was walking by. During these four(4) hour(s) the plaintiff was thrown against the wall and floor several times. By the defendant JOHN DOE (2) (due to the defendant wanting the plaintiff to shut up and stop complaining about the cuffs) Plaintiff was also choked and mushed against the wall by applying pressure to the plaintiff's face and neck. Bruises appeared on the plaintiff's neck and face. The plaintiff experienced great pain throughout his body at the time and for several days thereafter. No incident reports were taken due to the defendant JOHN DOE (2) telling the hospital not to do so.

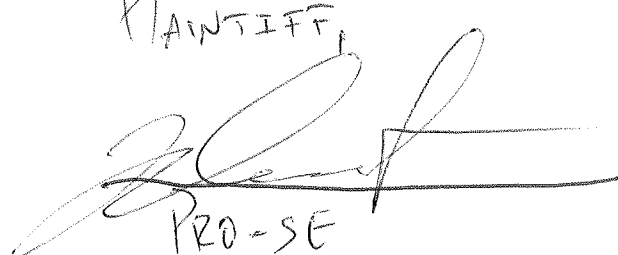
The next day the plaintiff was taken to central booking for processing. Upon being admitted, Central Bookings Officers ask the defendant why the plaintiff has lots of red marks, scratches and bruises on him. The defendant stated he did not know why. This Central Bookings Officer stated to the defendant not to hand over any paperwork until the plaintiff bruises are marked down on that paper. The defendant said ok and just scribbled something and handed over the

paperwork for the plaintiff to be seen by the judge. Upon the plaintiff being seen by the judge, the judge dismissed the case and warrant.

RELIEF.

The plaintiff requests that the court grant the relief the plaintiff is seeking, which is. A sum of Seventy-Five thousand and Five hundred and Sixty-nine dollars, (\$75,569.00)

This requested amount is fair and just, due to the unjustified inflicted pain, suffering and cruelty against the plaintiff, and any other judgement your honor deems just and proper.

PLAINTIFF

PRO-SE
FERNANDO SANTANA
800 LOGAN AVE
BRONX, N.Y. 10465

To: The United States District Court
Southern District of New York
500 Pearl St, Pro Se Office
New York, New York

From:: Fernando Santana (Pro Se)
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RE: Fernando Santana V. officer MD Rhaman, et. al., 21-CIV-4720(LTS)

Please be advised I was never giving notification on the amended complaint, and have yet to receive the third defendant name. With that being stated i would like JohnDoe #3 identified so i may be able to continue with this complaint.